# 8/ amount D R. Morgan PATENTS 8/3/96

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Ronald A. Katz

Serial No.:

08/306,650

Filed:

September 14, 1994

For:

TELEPHONIC-INTERFACE

LOTTERY SYSTEM

Docket No.:

9002-1B680US4

(previously 6646-101N5)

Examiner: S. Woo

Art Unit: 2608

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## AMENDMENT

707 Wilshire Blvd., 32nd Floor Los Angeles, CA 90017 July 26, 1996

Assistant Commissioner for Patents Washington, D. C. 20231

Sir:

In response to the Office Action dated July 1, 1996, please amend the above-identified patent application as follows:

## IN THE SPECIFICATION:

Under the heading "Background and Summary of the Invention," on page 1, after line 20, insert the following new paragraph:

Also, this application is a continuation-in-part of Application Serial No. 08/306,751, filed September 14, 1994, and entitled "Multiple Format Telephonic Interface Control System", which is a continuation of Application Serial No. 08/047,241, filed April 13, 1993, issued as U.S. Patent No. 5,351,285,

entitled "Multiple Format Telephonic Interface Control System", which is a continuation of Application Serial No. 07/509,691, filed April 16, 1990, abandoned, entitled "Multiple Format Telephonic Interface Control System", and a continuation-in-part of Application Serial No. 07/640,337, filed January 11, 1991, entitled "Telephonic-Interface Statistical Analysis System", which is a continuation of Application Serial No. 07/335,923, filed April 10, 1989, entitled "Telephonic-Interface Statistical Analysis System", which is a continuation of Application Serial No. 07/194,258, filed May 16, 1988, issued as U.S. Patent No. 4,845,739, entitled "Telephonic-Interface Statistical Analysis System", which is a continuation-in-part of Application Serial No. 07/018,244, filed February/24, 1987, issued as U.S. Patent No. 4,792,968, entitled "Statistical Analysis System For Use With Public Communication Facility", which is a continuation-in-part of Application Serial No. 06/753,299, filed/July 10, 1985, abandoned, entitled "Statistical Analysis" System For Use With Fublic Communication Facility"; said Application Serial. No. # 07/509,691, is a continuation-in-part of Application Serial No. 07/260,104, filed October 20, 1988, issued as U.S. Patent No. 4,930,150, entitled "Telephonic Interface Control System", which is a continuation-in-part of Application Serial No. 07/018,244, filed February 24, 1987, issued as U.S. Patent No. 4,792,968, entitled "Statistical Analysis System For Use With Public Communication Facility", which is a continuation-in-part of Application Serial No. 06/753,299, filed July 10, 1985,

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abandoned, entitled "Statistical Analysis System For Use With Public Communication Facility".

Also, this application is directly a continuation-in-part of Application Serial No. 07/335,923, filed April 10, 1989, and entitled "Telephonic-Interface Statistical Analysis System", which is a continuation of Application Serial No. 07/194,258, filed May 16, 1988, issued as U.S. Patent No. 4,845,739, entitled "Telephonic-Interface Statistical Analysis System", which is a continuation-in-part of Application Serial No. 07/018,244, filed February 24, 1987, issued as U.S. Patent No. 4,792,968, entitled "Statistical Analysis System For Use With Public Communication Facility", which is a continuation-in-part of Application No. 06/753,299, filed July 10, 1985, abandoned, entitled "Statistical Analysis System For Use With Public Communication Facility". The benefit of the earlier filing dates in the United States is claimed under 35 U.S.C. § 120.--

### IN THE CLAIMS:

Please amend claims 24-26, 31-33, 37-38, 41, 43, 45-47, 49-50, 52-63, 72, and 77-81 as follows:

24. (Twice Amended) A method for conducting a telephonic-interface ticket control operation for use with a communication facility including remote terminal apparatus for individual callers, [wherein said remote terminal apparatus may comprise] a conventional telephone instrument] including voice communication

	6	means, and digital input means in the form of an array of
	7	alphabetic numeric buttons for providing identification data,
	8	comprising the steps of:
	9	assigning a predetermined limit on access to an
	10	interactive call processing format;
	11	providing an identification number on a ticket, said
	12	identification number entered by each individual caller via
	13	said digital input means to access said interactive call
	14	processing format until said predetermined limit is reached
	15	storing data indicative of an extent of access
	16	accomplished for said identification number entered by each
2	17	individual caller; and
nt.	18	testing said data indicative of said extent of access
	19	accomplished against said predetermined limit on access to
	20	determine if said predetermined limit on access is reached
	21	and further testing to limit access during a predetermined
	22	interval of time; and
	23	providing a distinct indicia associated with said
	24	ticket and co-relating said distinct indicia to at least a
	25	portion of said identification number.
	1	25. (Amended) A method for conducting a telephonic-
	2	interface ticket control operation as defined in claim 24,
	3	further comprising the step of
	4	providing [DNIS capability] dialed number
	5	identification signals automatically from the communication

6	facility (DNIS) to provide digital	identification data
7	indicating a called number.	

- 2 interface ticket control operation as defined in claim 25,
  wherein said called number is indicative of [a select one of]

  said interactive call processing format selected from a plurality
  of different [operating] interactive call processing formats

  under control of said dialed number identification signals

  (DNIS).
  - 31. (Amended) A method for conducting a telephonicinterface ticket control operation as defined in claim 24,
    wherein [said providing step further comprising the step of:]
    said distinct indicia associated with said ticket is [providing]
    a bar code indicia on said ticket.
    - 32. (Amended) A method for conducting a telephonicinterface ticket control operation as defined in claim 24, further comprising the step of

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providing said identification data as indicia on said ticket along with said distinct indicia and an additional numerical indicia [on said ticket].

33. (Amended) A method for conducting a telephonic-interface ticket control operation as defined in claim 24,

7	3	further comprising the step of:
<i>V</i> 3	4	recording additional [personal] identification data
Canal	<sup>*</sup> 5	provided by the caller.
	1	37. (Amended) A method for conducting a telephonic-
	2	interface ticket control operation as defined in claim 24,
	3	further comprising the step of:
	4	providing visual indicia on said ticket illustrative of
	5	a <u>name of a specific [promotion] interactive call processing</u>
	6	format from a plurality of names of [promotions] interactive
	7	call processing formats.
),,	1	
4	1	38. (Twice Amended) A telephonic-interface ticket control
<b>Jo</b> 4W.	2	system for use with a communication facility including remote
_	3	terminal apparatus for <u>individual</u> callers to call, wherein said
	4	remote terminal apparatus may comprise a conventional telephone
	5	instrument] including voice communication means, and digital
	6	input means in the form of an array of alphabetic numeric buttons
	7	for providing identification data, said telephonic-interface
	8	ticket control system comprising:
	9	interface means coupled to said communication facility
1	LO	to interface said remote terminal apparatus for voice and
1	11	digital communication with said individual callers;
1	L2	voice generator means coupled through said interface
1	L3	means for providing vocal instructions to an individual

caller to enter identification data from a ticket, said

	TO	ticket having associated therewith a distinct indicia co-
	16	related to said identification data;
	17	memory means coupled to said interface means for
+	18	storing said identification data and data indicative of an
14	19	extent of access accomplished by said individual callers;
Cond	20	and
	21	qualification means coupled to said interface means for
	22	limiting access to said ticket control system based on said
	23	extent of access accomplished by said individual callers.
_	1	41. (Amended) A telephonic-interface ticket control
05	2	system according to claim 38, wherein said qualification means
•	3	utilizes a look-up table to determine if [said limited] a limit
	4	on access is reached.
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<b>+</b>	1	43. (Amended) A telephonic-interface ticket control system
1)6	2	according to claim 38, further comprising:
	3	means for generating sequence data for each individual
	4	[caller] call.
	_1/	
	1	45. (Amended) A method for conducting a telephonic-
	2	interface ticket control operation as defined in claim 24,
7	3	further comprising the step of:
out.	4	receiving digital signals representing [numbers] number
	5	identification data associated with said remote terminal
	6	apparatus automatically provided by said communication

## facility [, for example, ANI signals].

1 46. (Amended) A method for conducting a telephonic-2 interface ticket control operation as defined in claim 45, 3 further comprising the step of:

storing said digital signals representing numbers associated with said remote terminal apparatus automatically provided by said communication facility [, for example, ANI signals].

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- 47. (Amended) A method for conducting a telephonicinterface ticket control operation as defined in claim [46] 45,
  wherein said testing step further includes testing digital
  signals representing [numbers] calling number identification data
  associated with said remote terminal apparatus automatically
  provided by said communication facility [, for example, ANI
  signals,] to limit or prevent access to said interactive call
- 1 49. (Amended) A method for conducting a telephonic2 interface ticket control operation as defined in claim 25,

  Wherein at least certain digits of said identification number

  cont. 4 entered by [each] certain of said individual [caller] callers

  indicate a select subformat.
  - 50 (Amended) A method for conducting a telephonic-

-	2	interface ticket control operation as defined in claim 31,
	3	further comprising the step of:
_	4	[co-relating said bar code indicia to at least a
1/8	5	portion of said identification number and] utilizing said
mel	• 6	bar code indicia for [tracking said ticket] automatic entry
	7	of data for updating related stored information including
	8	said identification number.
	1	52. (Amended) A telephonic-interface ticket control system
	2	according to claim 38, further comprising:
	3	receiving means for receiving digital signals
	4	representing [numbers] calling number identification data
	5	associated with said remote terminal apparatus automatically
$\overline{}$	6	provided by said communication facility [, for example, ANI
9	7	signals].
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	1	53. (Amended) A telephonic interface ticket control system
	2	according to claim 52, wherein said memory means stores said
	3	digital signals representing [numbers] calling number
	4	identification data associated with said remote terminal
	5	apparatus automatically provided by said communication facility
	6	[, for example, ANI signals.
	1	54. (Amended) A telephonic-interface ticket control system
	2	according to claim 53, wherein said qualification means tests
	3	digital signals representing [numbers] calling number

identification data associated with said remote terminal apparatus automatically provided by said communication facility [, for example, ANI signals,] to limit or prevent access to said ticket control system.

(Amended) A telephonic-interface ticket control system according to claim [39] 49, wherein at least certain digits of said identification data entered by each individual caller indicate a select telephone subformat.

game of chance [or the like] for use with a communication facility including remote terminal apparatus for individual callers to call, [wherein said remote terminal apparatus may comprise a conventional telephone instrument] including voice communication means, and digital input means in the form of an array of alphabetic numeric buttons for providing identification data, said telephonic-interface system for a game of chance [or the like] comprising:

interface means coupled to said communication facility to interface said remote terminal apparatus for voice and digital communication with said individual callers and for receiving automatic number identification data indicative of caller telephone numbers provided automatically by said communication facility;

voice generator means coupled through said interface

means for providing vocal instructions to an individual caller to enter data associated with said game of chance and identification data;

processing means for processing said data associated with said game of chance supplied by said individual callers, said processing means coupled to said interface means and selecting at least one subset of at least one winner for said game of chance from said individual callers;

qualification means coupled to said interface means for limiting access to said processing means based upon comparing said identification data with previously stored identification data; and

means for storing coupled to said interface means for storing said data associated with said game of chance in association with said previously stored identification data.

(Amended) A telephonic-interface system for a game of chance [or the like] as defined in claim 56, wherein said qualification means further comprises a consumable key test means to qualify callers with respect to limited access, said consumable key test means including a check digit verification.

(Amended) A telephonic-interface system for a game of chance [or the like] as defined in claim 56, wherein said qualification means utilizes a look-up table to determine if [said limited] a limit on access is exceeded.

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(Amended) A telephonic-interface system for a game of chance [or the like] as defined in claim 56, further comprising a look-up table, wherein said look-up table comprises individual callers' telephone numbers.

(Amended) A telephonic-interface system for a game of chance [or the like] as defined in claim 56, further comprising a look-up table wherein said look-up table comprises social security numbers.

(Amended) A telephonic-interface system for a game of chance [or the like] as defined in claim 56, wherein said processing means selects said subset offline subsequent to accumulating data with regard to a multitude of individual callers.

(Amended) A telephonic-interface system for a game of chance [or the like] as defined in claim 56, further comprising:

at least one automatic call distributor for interfacing a plurality of calls from said individual callers with said qualification means.

(Amended) A method for conducting a telephonicinterface for use with a communication facility including remote terminal apparatus for facilitating calls from persons holding tickets or cards, [wherein said remote terminal apparatus may

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5	comprise a conventional telephone instrument] including voice
6	communication means, and digital input means in the form of an
7	array of alphabetic numeric buttons for providing certain
8	identification data, comprising the steps of:
9	developing a consumable key number for use with an
10	interactive call processing format;
11	providing said consumable key number on a ticket or
12	card for identification, said consumable key number for
13	entry by each caller via said digital input means; and
14	receiving said consumable key number from a remote
15	terminal apparatus and testing said consumable key number to
16	limit access by [each] said caller to said interactive call
17	processing format, based on entitlement of [each] said
18	caller to a limited number of uses.
1	[ ] [ (Amended) A method for conducting a telephonic-
2	interface according to claim $\mathcal{H}$ , wherein said caller's telephone
3	number is automatically provided by said communication facility
4	[[(for example, ANI)].
1	(Amended) A method for conducting a telephonic-
2	interface according to claim 63, further comprising the step of:
3	recording [said caller's] credit card number data or
4	social security number data for said individual caller.
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\1	78. (Amen. ed) A telephonic-interface control system for
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	ase with a communication facility including remote terminal
	apparatus for individual callers to call, [wherein said remote
	terminal apparatus may comprise a conventional telephone
	instrument] including voice communication means, and digital
	input means in the form of an array of alphabetic numeric buttons
	for providing identification data, said telephonic-interface
	<pre>control system comprising:</pre>
	interface means coupled to said communication facility
	to interface said remote terminal apparatus for voice and
	digital communication with said individual callers based
	upon dialed number identification signals (DNIS) indicative
	of a called number provided automatically from said
	communication facility;
n	voice generator means coupled through said interface
	means for providing vocal instructions to an individual
	caller to enter data and identification data;
	processing means for processing said data supplied by
	said individual callers, said processing means coupled to
	said interface means and selecting at least one subset of at
	least one caller from said individual callers;
	qualification means coupled to said interface means for
	limiting access to said processing means based upon
	comparing said identification data with previously stored
	identification data; and
	means for storing coupled to said interface means for
	storing said data in association with said previously stored

identification data.

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79. (Amended) A telephonic-interface control system as
defined in claim 78, wherein said qualification means [further]
for limiting access comprises a consumable key test means to
qualify callers with respect to limited access, said consumable
key test means including a check digit verification.

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80. (Amended) A telephonic-interface control system as defined in claim 78, wherein said qualification means utilizes a look-up table to determine if [said limited] a limit on an extent of access is exceeded.

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81. (Amended) A telephonic-interface control system as defined in claim 78, wherein said processing means selects said subset offline subsequent to accumulating data with regard to a multitude of <u>said</u> individual callers.

# Please add the following new claims 83-118:

1 --83. A method for conducting a telephonic-interface ticket 2 control operation according to claim 24, further comprising the 3 step of:

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processing data entered by each of said individual caller and utilizing at least part of said data to select at least one subset of at least one caller from said individual callers.

1	84. A method for conducting a telephonic-interface ticket
2	control operation according to claim 24, further comprising the
3	step of:
4	providing visual indicia on said ticket including a
5	specific visual theme associated with said interactive call
6	processing format selected from a plurality of visual themes
7	associated with a plurality of interactive call processing
8	formats
1	85. A method for conducting a telephonic-interface ticket
2	control operation as defined in claim 24, further comprising the
3	step of:
4	prompting said individual callers via a voice generator
. 5	to enter data; and
6	storing at least certain of said data responsive to
7	said prompting step
1	86. A method for conducting a telephonic-interface ticket control operation as defined in claim 24, wherein access is
2	control operation as defined in claim 24, wherein access is
3	limited based upon a limited number of uses
1	87. A method for conducting a telephonic-interface ticket
2	control operation as defined in claim 24, wherein access is
3	limited based upon a limited dollar value
1	88. A method for conducting a telephonic-interface ticket
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control operation as defined in claim 25, wherein said called 2 number is a toll free number selected from a plurality of tell 3 free numbers under control of said dialed number identification 4 signals (DNIS).--5 A method for conducting a telephonic-interface ticket --89. 1 control operation as defined in claim 25, further comprising the 2 step of: 3 utilizing a clock to limit access during said predetermined interval of time. --5 A methød according to claim 26, wherein certain digits of said Adentification number contain information specific to each of said plurality of interactive call processing formats and said digits are tested for entitlement to access said interactive call processing format selected from said plurality 5 of interactive call processing formats. --6 Ò A method for conducting a telephonic-interface ticket 1 control operation as defined in claim 29, wherein said concealing 2 step further comprises the step of: 3 applying an obscuring material to said identification 4 number. --5 A method for conducting a telephonic-interface ticket 1

control operation as defined in claim 29, wherein said applying

step further comprises the step of: 3 using a latex coating as said obscuring material .--4 A method according to claim 37, wherein said visual 1 indicia further includes a specific visual theme associated with 2 said interactive call processing format taken from a plurality of 3 visual themes associated with a plurality of different 4 interactive call processing formats. --5 --94. A telephonic-interface control system according to 1 claim 38, wherein said distinct indicia is a bar code indicia on 2 3 \said ticket.-A telephonic-interface control system according to laim 94, wherein said bar code indica is utilized for automatic entry of data for updating related stored information including said identification number .--A telephonic-interface control system as defined in 1 claim 95, further comprising. 2 means for rendering said ticket ineffective by 3 utilizing said bar code indicia to cancel related stored 4 information including said identification number .--5 A telephonic-interface control system according to 1 claim 38, wherein said qualification means also tests to limit 2

access during a predetermined interval of time. --3 A telephonic-interface ticket control system as 1 defined in claim 38, wherein said ticket bears numerical indicia in addition to bar code indicia and identification data 3 indicia .----99. A telephonic-interface ticket control system as 1 defined in claim 38, wherein at least a portion of said 2 identification number is concealed.--3 -- 100. A telephonic-interface ticket control system as defined in claim 99, wherein at least a portion of said identification is concealed with an obscuring material .--A telephonic-interface ticket control system as --101. 1 defined in claim 99, wherein at least a portion of said 2 identification is concealed with a latex coating .--3 A telephonic-interface ticket control system 1 according to claim 38, wherein said qualification means limits 2

access to a limited number of uses .--

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--104. A telephonic-interface ticket control system according to claim 40, wherein access to said plurality of different operating formats are provided via different toll free numbers.--

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--105. A method according to claim 45, further comprising the step of:

processing said data indicative of said extent of access in accordance with said interactive call processing format, and utilizing said digital signals representing numbers associated with said remote terminal apparatus for said processing.--

--106. A telephonic interface ticket control system according to claim 52, wherein said digital signals are utilized for automated processing of said ticket.--

1 --101. A telephonic-interface control system for a game of 2 chance as defined in claim 56, wherein said identification data 3 is provided on a ticket with a bar code indicia.--

chance as defined in claim 107, wherein said bar code indicia is co-related to at least a portion of said identification data and said bar code indicia is utilized for automatic entry of data for updating purposes.--

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A method for conducting a telephonic-interface 1 --109. according to claim 63, further comprising the step of: 2 3 providing a bar code indicia on said ticket .----110. A method for conducting a telephonic-interface 1 according to claim 109 further comprising the step of: 2 co-relating said bar code indicia to at least a portion 3 of said identification data and utilizing said bar code 4 indicia for automatic entry of data for updating purposes .--5 A telephonic-interface control system as defined in --111. claim 78, wherein said dialed number identification signals 2 (DNIS) identify one called number from a plurality of distinct called numbers including toll free called numbers .-->112. A telephonic-interface control system according to 1 claim 78, wherein said identification data and a bar code indicia are provided on a ticket.--3 1 A telephonic-interface control system according to claim 78, wherein sequence data indicative of calling order 2 sequence is generated and stored for certain of said individual 3 4 callers.--A telephonic-interface control system according to 1 claim 80, wherein said limit on access relates to a limited 2 21

- 3 number of uses.--
- 4 -- 115. A telephonic-interface control system according to
- 5 claim 80, wherein said limit on access relates to a limit on a
- 6 dollar amount.--
- 1 --116. A telephonic-interface control system according to
- claim 82, wherein one of said plurality of formats is accessed by
- a toll free number and another format is accessed by a pay to
- 4 dial number.--

1 --117. A telephonic-interface control system according to

2 claim 82, wherein one of said formats is accessed by a pay to

3 dial number and a toll free number and another of said formats is

4 accessed by another toll free number .--

118. A telephonic-interface control system according to

claim 117, wherein said bar code indicia is co-related to at

least a portion of said identification data and said bar code

4 indicia is utilized for automatic entry of data for updating

5 purposes.--

#### REMARKS

This Amendment is in response to the office action dated July 1, 1996. By this amendment, claims 24-26, 31-33, 37-38, 41, 43, 45-47, 49-50, 52-63, 72, and 77-81 are amended, and new

dependent claims 83-118 are added for the Examiner's consideration.

The specification is amended to contain a specific reference to Applicant's earlier filed Application Serial Nos. 08/306,751, filed September 14, 1994, and 07/640,337, filed April 10, 1989, both of which are co-pending. Accordingly, by the amendment to the specification under 35 U.S.C. § 120, the benefit of the earlier filing dates in the United States is claimed. See quotation of 35 U.S.C. § 120 set forth below (emphasis by underlining added).

"An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or on an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application."

Also, a Supplemental Information Disclosure Statement and accompanying Forms PTO-1449 listing additional art is submitted

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contemporaneously with this Amendment. Although the art is not deemed significant to the present claims, Applicant is citing the art simply to make it of record with respect to his various pending applications. Certain references that are remotely pertinent to the claims are distinguished in the accompanying Supplemental Information Disclosure Statement.

Reconsideration of this application is respectfully requested.

## Discussion of the Rejection of Claims 24-82 under 35 U.S.C. § 112

In paragraph 1 of the office action, claims 24-82 are rejected under 35 U.S.C. § 112, second paragraph, as indefinite. To that end, the office action rejects the use of the phrase "may comprise" in claims 24, 38, 56, 63, and 78. The phrase "wherein said remote terminal apparatus may comprise a conventional telephone instrument" was intended as an example. However, as the Examiner objects to its use with respect to this application, that phrase is deleted from the preamble of the rejected claims and any other claims with a similar recitation.

Also, the office action rejects use of the phrase "for example, ANI signals" in claim 45 and any other claims that have a similar recitation. Again, that recitation was intended as an example, and is deleted from claim 45 and other claims (24, 38, 56, 63, and 78) with that recitation.

Finally, the office action rejects use of the phrase "or the like." That recitation has been deleted in claim 56 and all of

its dependent claims.

Other refinements to the claims are presented to more distinctly define them.

## Discussion of the Non-Statutory Double Patenting Rejections

Paragraph 3 of the office action rejects claims 24-82 under the judicially created doctrine of double patenting over claims 1-34 of U.S. Patent No. 5,365,575. Paragraph 4 of the office action rejects claims 78-82 under the judicially created doctrine of double patenting over claims 1-41 of U.S. Patent No.

4,845,739. Paragraph 5 of the office action rejects claims 24, 27-28, 30-38, 41-44, 48-51, 55-67, 70, and 73-77 as unpatentable over U.S. Patent No. 4,792,968. Although the present claims are distinct, a terminal disclaimer to obviate the double patenting rejection with respect to Applicant's prior Patent Nos. 5,365,575, 4,845,739, and 4,792,968 is contemporaneously

submitted with this Amendment.

### Discussion of the New Claims

All the new claims presented for examination are dependent claims. Claims 83-93 and 105 ultimately depend on claim 24; claims 94-104 ultimately depend on claim 38; claims 107-108 ultimately depend on claim 56; claims 109-110 ultimately depend on claim 63; and claims 111-118 ultimately depend on claim 78. Favorable consideration of these dependent claims is respectfully requested.

### SUMMARY

Favorable consideration and allowance of all the claims in this application, that is claims 24-118, is respectfully requested.

Respectfully submitted,

By: Reena Kuyper

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Docket No. 9002-1B680US4
(prev. 6646-10 (prev. 6646-101N5)